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**FACSIMILE TRANSMISSION****DATE:** February 25, 2009**TO:**

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**FROM:** Stephen A. Gigot**PHONE:** 414.225.4988**SENT BY:** Kelly Roberts**EXTENSION:** 5374**LOCATION:** MKE-30NE

**RE:** Application No. 10/813,739  
Filing Date: 3/31/2004  
Confirmation No. 5140

NUMBER OF PAGES, INCLUDING COVER:		9		
CLIENT-MATTER NUMBER:	022233-9052 US	SENDER'S ACCOUNT NUMBER	0035	

**NOTES/COMMENTS:**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3753

In re

Patent Application of

Norbert Machanek.

Application No. 10/813,739

Confirmation No.: 5140

Filed: March 31, 2004

Examiner: Ljiljana V. Ciric

"HEAT EXCHANGER BLOCK"

STATUS REQUEST

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants' attorneys respectfully request an updated status of the above-identified application.

Applicants' attorneys attach a copy of the Bibliographic Data from PAIR dated February 22, 2009 (identified as Exhibit A) wherein the application status is "Abandoned—Failure to Respond to an Office Action". As explained in detail below, Applicants respectfully submit that this application has been incorrectly identified as "abandoned," the application's status should be corrected, and examination should resume as soon as possible. The following is a brief summary of the relevant facts.

1. July 31, 2006 the Patent Office mailed a restriction requirement to Wood, Phillips, Katz, Clark, & Mortimer (Applicant's former counsel).

2. August 24, 2006 Applicants filed a response to the restriction requirement. A copy of this response along with the postcard stamped as received on August 28, 2006 is attached hereto as Exhibit B.

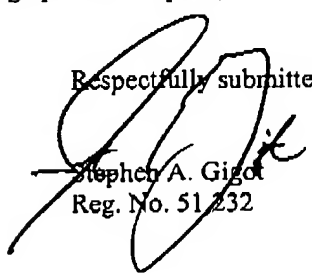
3. February 12, 2007 the Office mailed a notice of abandonment noting a failure to respond to the restriction requirement of July 31, 2006 as the reason for the abandonment.

4. March 19, 2007 Applicant's current counsel faxed courtesy copies of the August 24, 2006 response and stamped postcard dated August 28, 2006 to Examiner Ciric with a request that the status of the present application be corrected.

Applicants respectfully request that the Office update the status for the above-identified application in PAIR and resume examination of the application soon as possible. If additional

information or documents would be helpful in acting upon this request, the Office is invited to contact Applicant's attorney.

Respectfully submitted,

  
Stephen A. Gigot  
Reg. No. 51,232

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THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS ITS STAMP ON THIS CARD AND  
PLACE SAME IN THE OUT-GOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED

Docket No. MOD00655P01241US  
Serial No. 10/813,739

Applicant: Norbert Machanek  
Date Filed: March 31, 2004

Response (2 pages)

NOTICES CONCERNING

Certificate of Mailing Dated: August 24, 2006  
Certificate of Mailing by Express Mail  
Label No.

Dated:

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER